REMARKS

In the amendment filed herewith, Applicants made certain amendments to the claims to improve their form and readability as well as to ensure proper terminology and antecedents in the claim language. No new matter has been added.

In the Office Action of March 25, 2008, which followed an amendment filed December 18, 2008, Claims 37-48 and 61-70 are rejected under the non-statutory obviousness-type double patenting over Claim 33 of US Patent No. 6,237,025. Claims 49-60 are rejected under the non-statutory obviousness-type double patenting over Claim 22 of US Patent No. 5,758,079. Applicants are submitting appropriate terminal disclaimers to overcome the rejections.

In the amendment filed on December 18, 2007, independent Claim 49 is amended to include the body of issued independent Claim 22 of U.S. Patent No. 5,758,079. The '079 patent has the same specification and claim the same priority as this application. In the amendment filed herewith, certain additional changes to this copied issued claims' language are made to conform to the language of the claims.

Further, in the amendment filed herewith, independent Claims 37 and 61 are amended to include language similar to the body of issued independent Claim 22 of the '079 patent.

For reference, Claim 22 of U.S. Patent 5,758,079 reads:

> A method for conducting a teleconference among a plurality of participants, comprising the steps of:
> (a)   detecting an incoming teleconference call, from at least one calling participant, at the workstation of a first participant during an active teleconference with a second participant;
> (b)   notifying the first participant of the identity of each of the calling participants; and
> (c)   providing the first participant with the option of accepting the incoming teleconference call.

Further, in the amendment filed on December 18, 2007, independent Claims 37 and 61 were each amended to include the body of issued independent Claim 33 of U.S. Patent No. 6,237,025. The '025 patent has the same specification and claim the same priority as this

application. In the amendment filed herewith, certain additional changes to this copied issued claims' language are made to conform to the language of the claims.

Further, in the amendment filed herewith, independent Claim 49 is amended to parallel the language of the body of issued independent Claim 33 of the '025 patent.

Issued independent Claim 33 of the '025 patent reads:

> A method for conducting a teleconference among a plurality of participants, each having an associated video capture and display and audio capture and reproduction capabilities, the method comprising the steps of:
> (a)   maintaining
>   (i)   at least one directory, including
>   (1)   a list of potential participants; and
>   (ii)   at least one database, including
>   (1)   addresses of video display devices, and
>   (iii)   an association
>   (1)   between the information in the directory and the database
>   (2)   in which the association is dynamically changeable;
> (b)   displaying
>   (i)   participant information from at least the directory
> (c)   selecting
>   (i)   one or more participants
>   (1)   from among the displayed participant information; and
> (d)   establishing communication
>   (i)   with each selected participant
>   (ii)   using information in the database.

Similar language is also found in independent Claim 23 of the '025 patent.

Examiner Dinh allowed Claim 33 based on comments made by Applicants in the Response and Amendment filed March 20, 2000 (see page 23), which led to allowance. The relevant section of Applicants' Response and Amendment filed March 20, 2000 reads as follows:

"the association between the directory and the database is dynamically changeable. Disclosure can be found on page 34, lines 21 to 30 and Page 35, lines 1 to 7, especially lines 3 to 4."[1]

(See page 23 of Applicants' March 20, 2000 Response included herein as Appendix A).

Applicants are now also amending the claims by adding language to parallel the body of issued independent Claim 10 of U.S. Patent No. 7,185,054 to independent Claims 37 and 61. Certain amendments to the copied language are made to conform to the language of the claims on file. The '054 patent has the same specification and claim the same priority as this application.

For reference, independent Claim 10 of the '054 patent reads:

A method for conducting a teleconference among a plurality of participants, each having an associated video capture and display and audio capture and reproduction capabilities, the method comprising the steps of:
(a)   displaying a graphical rolodex on a participant's video display device, including a scrollable listing of entries of video-enabled potential participants;
(b)   displaying a quick dial list on the participant's video display device and listing icons representing video-enabled potential participants copied from the graphical rolodex
(c)   allowing an initiating participant to initiate collaboration by selecting at least one participants listed in at least one of the graphical rolodex and quick dial list; and
(d)   automatically establishing one of a plurality of communication types with a selected participant upon a communication type being selected or by default when the participant is selected.

Similar language is also found in independent Claim 1 of the '054 patent.

In allowing Claim 10 of the '054 patent, Examiner Dinh did not provide reasons for allowance, but appears to have considered comments made by the Board of Patent Appeals with respect to the patent application corresponding to the '054 patent. These comments were quoted by Applicants on page 15 of Applicants' Response and Amendment, filed on December 30, 2005, which led to allowance. The relevant section of Applicants' Response reads as follows:

---

[1] The relevant disclosure references in the '025 patent are Col. 21, lines 10-15 and Col. 21, line 65 to Col. 22, line 9.

"…the Appeal Board's opinion suggests that claim limitations directed at **'users [being] able to select participants in real time easily and quickly hiding the complex details of multi channel multimedia connection set up'** would differentiate the claims from Marshak. By extension, this would also differentiate the claims from the IBM TDB as well." *(emphasis added)*

(See page 15 of Applicants' December 30, 2005 Response included herein as Appendix B).

Since the independent claims of the amendment filed herewith include additional limitations to the claims that are indicated as being allowable (apart from the obviousness type double patenting rejection) in the Office Action dated March 25, 2008, Applicants submit that this application is in condition for allowance.

In addition, Applicants wish to notify the Examiner that anonymous Third Party Requests for Reexamination have been recently filed in the following related patents:

Patent Number	Control Number
5,751,338	90/009,080
5,617,539	90/009,020
5,689,641	90/009,044
5,758,079	90/009,025
5,802,294	90/009,040
5,854,893	90/009,014
5,867,654	90/009,032
5,884,039	90/009,016
5,896,500	90/009,019
5,915,091	90/009,018
5,978,835	90/009,024
6,081,291	90/009,082
6,212,547	90/009,008
6,237,025	90/009,013
6,343,314	90/009,031
6,351,762	90/009,010
6,426,769	90/009,035
6,437,818	90/009,015
6,583,806	90/009,077
6,594,688	90/009,042
6,789,105	90/009,023
6,816,904	90/009,022
6,898,620	90/009,038
6,959,322	90/009,030
6,972,786	90/009,079

7,054,904	90/009,081
7,152,093	90/009,021
7,185,054	90/009,012
7,206,809	90/009,009

If the Examiner wishes to obtain copies of any of the above Requests for Reexamination, the Examiner may contact the undersigned attorney. The references and other third party documentation found in the above Requests for Reexamination are included in an Information Disclosure Statement filed concurrently herewith.

Of particular note are US Patents 5,867,654, 5,896,500, 6,212,547, and 6,343,314 which were patents at issue in *Collaboration Properties v. Polycom* (Case No. 02-4591) filed in the United States District Court in the Northern District of California.

Similarly, US Patents 5,867,654, 5,896,500, 6,212,547 were patents at issue in *Collaboration Properties v. Tandberg* (Case No. 05-01940) filed in the United States District Court in the Northern District of California.

As reflected above, the amendment filed on December 18, 2007 together with amendment filed herewith, amends independent Claims 37, 49, and 61 to incorporate language similar to that from Claim 22 of U.S. Patent 5,758,079, and Claim 33 of U.S. Patent 6,237,025. Claims 37 ad 61 further incorporates language from Claim 10 of U.S. Patent 7,185,054. A copy of the Request for Reexamination of each of those patents is included in the Information Disclosure Statement filed concurrently herewith. Further, a concise explanation of what is presently understood to be the relevance of these three Requests for Reexamination is included as an attachment to Information Disclosure Statement filed concurrently herewith.

Finally, the Examiner is encouraged to review the art made of record, any Office Action, and any Notice of Allowance in the following related applications:

Application No. 11/737,723
Application No. 11/669,003
Application No. 11/668,625
Application No. 11/625,330
Application No. 11/624,351
Application No. 11/623,630

Application No. 11/623,387
Application No. 11/624,860
Application No. 11/623,177
Application No. 11/622,583
Application No. 11/622,627
Application No. 11/264,926
Application No. 11/264,936
Application No. 11/265,256
Application No. 11/265,059
Application No. 11/265,394
Application No. 10/721,905
Application No. 10/382,554

  Applicants assume that due to the ease of review on PAIR by the Examiner, Applicants need not submit copies of the individual Office Actions and/or Notices of Allowance. Applicants assume that the Examiner is aware that prosecution is ongoing in many of these cases, and that the Examiner will continue to evaluate these cases as needed.

  The Examiner is invited to call the undersigned attorney at (650) 843-7504, if a telephone call could help resolve any remaining items.

Respectfully submitted,

Date: April 10, 2008   37,078

Craig P. Opperman   (Reg. No.)
MORGAN, LEWIS & BOCKIUS LLP
2 Palo Alto Square
3000 El Camino Real, Suite 700
Palo Alto, CA 94306
(650) 843-4000

Appendix A

Attorney Docket No: COLB-001/20US

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Lester F. Ludwig, et al

Serial No.:   08/994,848

Filed: December 19, 1997

Examiner: Dinh, D.

Art Unit: 2757

For: MULTIMEDIA COLLABORATION SYSTEM

TC 2700 MAIL ROOM   MAR 28 2000   RECEIVED

Assistant Commissioner for Patents
Washington, D.C. 20231

RESPONSE TO OFFICE ACTION

In response to the office action dated September 30, 1999, Applicants respectfully request reconsideration based the following amendments and comment:

IN THE SPECIFICATIONS

Please amend the specifications as follows:

Change Page 1, lines 4 and 5, from:

"This application is a continuation-in-part of U.S. Application Serial No. 08/131,523, filed October 1, 1993 pending." to -- -This application is a continuation of U.S. Applications Serial No. 08/660,461, filed June 7, 1996, now U.S. Patent No. 5,802,294, which is a continuation of U.S. Serial No. 08/131,523, filed October 1, 1993, now U.S. Patent No. 5,689,641. - -

03/22/2000 AMDHANME 00000079 08994848

01 FC:203   405.00 OP
02 FC:202   78.00 OP   1

489488 v1/PA
@H_W011.DOC
030800/1535

Please amend the claims as follows:

21. (Amended) A teleconferencing system

 for conducting a teleconference

 among a plurality of participants comprising:

(a) a plurality of video display devices each having associated

    (i) participant video capture capabilities, and

    (ii) participant audio

        (1) capture and

        (2) reproduction capabilities; and

(b) at least one communication path

    (i) along which signals

        (1) representing participant audio and video

    (ii) can be transmitted,

wherein the system maintains

(a) at least one directory, including

    (i) a list of potential participants; and

(b) at least one database, including

    (i) addresses of video display devices, and

    (ii) audio and video capabilities of each video display device, and

(c) an association

    (i) between the information in the directory and the database; and

wherein the system is configured to

(a) display[.] information from

    (i) at least the [a first and a second] directory

        [(1) of potential participants

        (2) in which the second directory is a subject of the first directory,]

    (ii) on at least one video display device; and

(b) to initiate collaboration

2

(i) upon a selecting participant selecting

    (1) one or more participants

        i. from the displayed [potential] participant[s] information and

(ii) then establishing communication

    (1) with each selected participant[.]

    (2) using information in the database

    (3) to define a teleconference.

22. (Amended) The teleconferencing system of claim 21, wherein

(a) the [second] participant information is displayed in two sets in which the second set [directory] includes at one least of the group consisting of

    (i) displayed icons and text

    [(ii)] (1) representing the potential participants.

23. (Amended) The teleconferencing system of claim 21, wherein

(a) a selecting participant can

    (i) select

        (1) at least one of the participants and

        (2) at least one of a set of displayed communication types; and

wherein the system is further configured to

    (i) establish communication

        (1) of the selected type

        (2) with each selected participant.

24. The teleconferencing system of claim 23, wherein

(a) the set of communication types includes at least one of:

    (i) data conferencing, videoconferencing, telephone conferencing, sending faxes, sending electronic mail, and the sending of multimedia mail messages.

3

5
25. (Amended) The teleconferencing system of claim 23, **3** wherein

(a)   the selecting participant can use

    (i)   at least one computer graphic user interface

    (ii)   to select

        (1)   at least one of the participant(s) and/or

        (2)   at least one of the collaboration types.

6
26. The teleconferencing system of claim 23, **3** wherein the system

(a)   defaults

    (i)   to a default collaboration type

    (ii)   upon selection of a participant.

7
27. The teleconferencing system of claim 21, **1** wherein the system is further configured to allow a participant:

(a)   to select

    (i)   a further participant

    (ii)   from the potential participants and

(b)   add

    (i)   the new participant

    (ii)   to an existing teleconference call.

8
28. (Amended) The teleconferencing system of claim 21, **1** wherein the system is further configured to:

(a)   allow

    (i)   at least one participant

    (ii)   access

        (1)   to at least one audio and/or video signal source; and

(b)   reproduce

    (i)   audio and/<u>or</u> video

        (1)   based on signals

        (2)   from the accessed signal source

4

(ii)   for another participant.

29.   (Amended) A method for conducting a teleconference

among a plurality of participants, each having

    an associated video capture and display and

    audio capture and reproduction capabilities,

the method comprising the steps of:

    <u>(a)</u>   <u>maintaining</u>

    <u>(i)</u>   <u>at least one directory, including</u>

        <u>(1)</u>   <u>a list of potential participants; and</u>

    <u>(ii)</u>   <u>at least one database, including</u>

        <u>(1)</u>   <u>addresses of video display devices, and</u>

        <u>(2)</u>   <u>audio and video capabilities of each video display device, and</u>

    <u>(iii)</u>   <u>an association</u>

        <u>(1)</u>   <u>between the information in the directory and the database;</u>

    ([a]<u>b</u>)   displaying

        (i)   participant information from at least the [a first and a second]

directory

            [(1)   of potential participants in which

            (2)   the second directory is a subset of the first directory]

    ([b]<u>c</u>)   selecting

        (i)   one or more participants

            (1)   from among [a plurality of] the displayed [potential]

participant[s] <u>information</u>; and

    ([c] <u>d</u>)   establishing communication

        (i)   with each selected participant

        (ii)   <u>using information in the database.</u>

30.   (Amended) The method of claim 29, wherein

5

(a)   the [second] participant <u>information is displayed in two sets in which the</u> <u>second set</u> [directory] includes <u>at least one of the group consisting of</u>

        (i)   <u>displayed</u> icons <u>and text</u>

           (1)   representing potential participants.

[*Delete Claim 31*

---

13 32.   (Amended) The method of claim 29, **11** further comprising the steps of:

(a)   selecting a communication type,

        (i)   from a displayed set of communication types; and

(b)   establishing communication

        (i)   of the selected type,

        (ii)   with each selected participant[(s)].

14 33.   The method of claim 32, **13** wherein

(a)   the set of communication types includes at least one of:

        (i)   data conferencing, videoconferencing, telephone conferencing, sending faxes, sending electronic mail and sending multimedia mail messages.

15 34.   The method of claim 32, **13** wherein

(a)   the step of selecting

        (i)   one or more participants

        (ii)   invokes a default collaboration type.

16 35.   The method of claim 29, **11** further comprising the steps of:

(a)   selecting

        (i)   a new participant

        (ii)   from among a plurality of potential participants; and

(b)   adding

        (i)   the new participant

        (ii)   to an existing teleconference.

6

36. The method of claim 29, further comprising the steps of:

    (a)   detecting,

        (i)   during a first teleconference

            (1)   between a first and a second participant,

        (ii)   an attempt

            (1)   by a third caller

            (2)   to initiate a second teleconference

            (3)   with the second participant;

    (b)   notifying

        (i)   the second participant

        (ii)   of the attempt; and

    (c)   allowing the second participant

        (i)   to add

        (ii)   the third caller

        (iii)   to the first teleconference.

37. The method of claim 29, further comprising the steps of:

    (a)   allowing at least one participant

        (i)   access to at least one audio and/or video signal source; and

    (b)   reproducing video and/or audio

        (i)   based on signals,

        (ii)   from the accessed signal source;

        (iii)   for another participant.

38. The method of claim 29, further comprising the step of:

    (a)   allowing a participant

        (i)   in an existing teleconference with

            (1)   a plurality of other participants

        (ii)   to place on hold

        (iii)   at least one of the other participants.

39. The method of claim 29, further comprising the step of:

7

(a) allowing a participant
    (i) in an existing teleconference with
        (1) a plurality of other participants
    (ii) to disconnect
    (iii) at least one of the other participants.

Please add the following new claims:

40. The system of claim 21, wherein the association between the information in the directory and the database is dynamically changeable.

41. The method of claim 29, wherein the association between the information in the directory and the database is dynamically changeable.

42. The system of claim 21, wherein

(a) a selecting participant can
    (i) select
        (1) at least one of the participants
        (2) using a hot key.

43. The method of claim 29, further comprising the steps of:
(a) selecting a participant
    (i) by using a hot key.

44. A teleconferencing system

for conducting a teleconference

among a plurality of participants comprising:

(a) a plurality of video display devices each having associated
    (i) participant video capture capabilities, and
    (ii) participant audio
        (1) capture and
        (2) reproduction capabilities; and

(b) at least one communication path
    (i) along which signals

8

(1)   representing participant audio and video

    (ii)   can be transmitted,

wherein the system is configured to

(a)   display

    (i)   a first and a second directory of potential participants in which

        (1)   the first directory is viewable by all potential participants, and

        (2)   the second directory is a <u>subset</u> of the first directory and <u>viewable by a single participant,</u>

    (ii)   on at least one video display device; and

(b)   to initiate collaboration

    (i)   upon a selecting participant selecting

        (1)   one or more participants

            i.   from the displayed potential participants, and

    (ii)   then establishing communication

        (1)   with each selected participant.

        (2)   to define a teleconference.

45.   The teleconferencing system of claim 44, wherein

(a)   the second participant directory includes at least one of the group consisting of

    (i)   displayed icons and text

        (1)   representing the potential participants

46.   The teleconferencing system of claim 44, wherein

    (a)   a selecting participant can

        (i)   select

            (1)   at least one of the participants and

            (2)   at least one of a displayed set of communication types; and

wherein the system is further configured to

        (i)   establish communication

            (1)   of the selected type

9

(2)   with each selected participant.

47.   The teleconferencing system of claim 46, wherein
(a)   the set of communication types includes at least one of:
        (i)   data conferencing, videoconferencing, telephone conferencing, sending faxes, sending electronic mail, and the sending of multimedia mail messages.

48.   The teleconferencing system of claim 46, wherein
(a)   the selecting participant can use
        (i)   at least one computer graphic/user interface
        (ii)   to select
                (1)   at least one of the participant(s) and/or
                (2)   at least one of the collaboration types.

49.   The teleconferencing system of claim 46, wherein the system
(a)   defaults
        (i)   to a default collaboration type
        (ii)   upon selection of a participant.

50.   The teleconferencing system of claim 44, wherein the system is further configured to allow a participant:
(a)   to select
        (i)   a further participant
        (ii)   from the potential participants and
(b)   add
        (i)   the new participant
        (ii)   to an existing teleconference call.

51.   The teleconferencing system of claim 44, wherein the system is further configured to:
(a)   allow

10

     (i)   at least one participant

     (ii)   access

          (1)   to at least one audio and/or video signal source; and

(b)   reproduce

     (i)   audio and video

          (1)   based on signals

          (2)   from the accessed signal source

     (ii)   for another participant.

52.   The system of claim 44, wherein

    (a)   a selecting participant case

        (i)   select

            (1)   at least one of the participants

            (2)   using a hot key.

53.   A method for conducting a teleconference
among a plurality of participants, each having

       an associated video capture and display and

       audio capture and reproduction capabilities,

the method comprising the steps of:

    (a)   displaying

        (i)   a first and a second directory of potential participants in which

           (1)   the first directory is viewable by all potential participants,
       and

           (2)   the second directory is a subset of the first directory and
       viewable by a single participant

    (b)   selecting

        (i)   one or more participants

           (1)   from among a plurality of the displayed potential
participants; and

    (c)   establishing communication

11

(i)   with each selected participant

54.   The method of claim 53, wherein

       (a)   the second participant directory includes at least one of the group consisting of

              (i)   displayed icons and texts

                      (1)   representing potential participants.

55.   The method of claim 53, further comprising the steps of:

       (a)   selecting

              (i)   one or more desired participants

              (ii)   from the first participants directory; and

       (b)   selecting

              (i)   one or more desired participants;

              (ii)   from the second participant directory; and

       (c)   establishing communication

              (i)   with all selected participants.

56.   The method of claim 53, further comprising the steps of:

       (a)   selecting a communication type,

              (i)   from a displayed set of communication types; and

       (b)   establishing communication

              (i)   of the selected type,

              (ii)   with each selected participant(s).

57.   The method of claim 56, wherein

       (a)   the set of communication types includes at least one of:

              (i)   data conferencing, videoconferencing, telephone conferencing, sending faxes, sending electronic mail and sending multimedia mail messages.

58.   The method of claim 56, wherein

       (a)   the step of selecting

12

      (i)   one or more participants

      (ii)   invokes a default collaboration type.

59. The method of claim 53, further comprising the steps of:

    (a)   selecting

      (i)   a new participant

      (ii)   from among a plurality of potential participants; and

    (b)   adding

      (i)   the new participant

      (ii)   to an existing teleconference.

60. The method of claim 53, further comprising the steps of:

    (a)   detecting,

      (i)   during a first teleconference

          (1)   between a first and a second participant,

      (ii)   an attempt

          (1)   by a third caller

          (2)   to initiate a second teleconference

          (3)   with the second participant;

    (b)   notifying

      (i)   the second participant

      (ii)   of the attempt; and

    (c)   allowing the second participant

      (i)   to add

      (ii)   the third caller

      (iii)   to the first teleconference.

61. The method of claim 53, further comprising the steps of:

    (a)   allowing at least one participant

      (i)   access to at least one audio and/or video signal source; and

    (b)   reproducing video and/or audio

      (i)   based on signals,

13

  (ii) from the accessed signal source;

  (iii) for another participant.

62. The method of claim 53, further comprising the step of:

  (a) allowing a participant

    (i) in an existing teleconference with

      (1) a plurality of other participants

    (ii) to place on hold

    (iii) at least one of the other participants.

63. The method of claim 53, further comprising the step of:

  (a) allowing a participant

    (i) in an existing teleconference with

      (1) a plurality of other participants.

    (ii) to disconnect

    (iii) at least one of the other participants.

64. The method of claim 53, further comprising the steps of:

(a) selecting a participant

    (i) by using a hot key.

65. A teleconferencing system

  for conducting a teleconference

  among a plurality of participants comprising:

(a) a plurality of video display devices each having associated

    (i) participant video capture capabilities, and

    (ii) participant audio

      (1) capture and

      (2) reproduction capabilities; and

(b) at least one communication path

    (i) along which signals

14

(1) representing participant audio and video

(ii) can be transmitted,

wherein the system maintains

(a) at least one directory, including

    (i) a list of potential participants; and

(b) at least one database, including

    (i) addresses of video display devices, and

(c) an association

    (i) between the information in the directory; and the database

in which the association is dynamically changeable; and

wherein the system is configured to

(a) display information from

    (i) at least the directory

    (ii) on at least one video display device; and

(b) to initiate collaboration

    (i) upon a selecting participant selecting

        (1) one or more participants

            i. from the displayed participant information and

    (ii) then establishing communication

        (1) with each selected participant

        (2) using information in the database

        (3) to define a teleconference.

66. The teleconferencing system of claim 65, wherein

(a) the participant information is displayed in two sets in which the second set includes any one or more of the group consisting of

    (i) displayed icons and text

        (1) representing the potential participants.

67. The teleconferencing system of claim 65, wherein

15

(a) a selecting participant can

    (i) select

        (1) at least one of the participants and

        (2) at least one of a set of displayed communication types; and

wherein the system is further configured to

    (i) establish communication

        (1) of the selected type

        (2) with each selected participant.

68. The teleconferencing system of claim 67, wherein

(a) the set of communication types includes at least one of:

    (i) data conferencing, videoconferencing, telephone conferencing, sending faxes, sending electronic mail, and the sending of multimedia mail messages.

69. The teleconferencing system of claim 67, wherein

(a) the selecting participant can use

    (i) at least one computer graphic user interface

    (ii) to select

        (1) at least one of the participant(s) and/or

        (2) at least one of the collaboration types.

70. The teleconferencing system of claim 67, wherein the system

(a) defaults

    (i) to a default collaboration type

    (ii) upon selection of a participant.

71. The teleconferencing system of claim 65, wherein the system is further configured to allow a participant:

(a) to select

    (i) a further participant

    (ii) from the potential participants and

16

(b) add

    (i) the new participant

    (ii) to an existing teleconference call.

72. The teleconferencing system of claim 65, wherein the system is further configured to:

(a) allow

    (i) at least one participant

    (ii) access

        (1) to at least one audio and/or video signal source; and

(b) reproduce

    (i) audio and/or video

        (1) based on signals

        (2) from the accessed signal source

    (ii) for another participant.

73. The system of claim 65, wherein the database further includes audio and video capabilities of each video display device.

74. The system of claim 65, wherein

(a) a selecting participant can
    (i) select
        (1) at least one of the participants
        (2) using a hot key

35. A method for conducting a teleconference among a plurality of participants, each having

        an associated video capture and display and

        audio capture and reproduction capabilities,

the method comprising the steps of:

    (a)   maintaining

    (i)   at least one directory, including

        (1)   a list of potential participants; and

    (ii)   at least one database, including

        (1)   addresses of video display devices, and

    (iii)   an association

        (1)   between the information in the directory and the database

        (2)   in which the association is dynamically changeable;

    (b)   displaying

    (i)   participant information from at least the directory

    (c)   selecting

    (i)   one or more participants

        (1)   from among the displayed participant information; and

    (d)   establishing communication

    (i)   with each selected participant

    (ii)   using information in the database.

36. The method of claim 33, wherein

    (a)   the participant information is displayed in two sets in which the second set

includes anyone or more of the group consisting of

    (i)   displayed icons and text

        (1)   representing potential participants.

18

77. The method of claim 75, further comprising the steps of:

(a)   selecting a communication type,

    (i)   from a displayed set of communication types; and

(b)   establishing communication

    (i)   of the selected type,

    (ii)   with each selected participant.

78. The method of claim 77, wherein

(a)   the set of communication types includes at least one of:

    (i)   data conferencing, videoconferencing, telephone conferencing,

sending faxes, sending electronic mail and sending multimedia mail messages.

79. The method of claim 77, wherein

(a)   the step of selecting

    (i)   one or more participants

    (ii)   invokes a default collaboration type.

80. The method of claim 75, further comprising the steps of:

(a)   selecting

    (i)   a new participant

    (ii)   from among a plurality of potential participants; and

(b)   adding

    (i)   the new participant

    (ii)   to an existing teleconference.

81. The method of claim 75, further comprising the steps of:

(a)   detecting,

    (i)   during a first teleconference

        (1)   between a first and a second participant,

    (ii)   an attempt

        (1)   by a third caller

        (2)   to initiate a second teleconference

19

(3)   with the second participant;

(b)   notifying

    (i)   the second participant

    (ii)   of the attempt; and

(c)   allowing the second participant

    (i)   to add

    (ii)   the third caller

    (iii)   to the first teleconference.

82.   The method of claim 75, further comprising the steps of:

(a)   allowing at least one participant

    (i)   access to at least one audio and/or video signal source; and

(b)   reproducing video and/or audio

    (i)   based on signals,

    (ii)   from the accessed signal source;

    (iii)   for another participant.

83.   The method of claim 75, further comprising the step of:

(a)   allowing a participant

    (i)   in an existing teleconference with

        (1)   a plurality of other participants

    (ii)   to place on hold

    (iii)   at least one of the other participants.

84.   The method of claim 75, further comprising the step of:

(a)   allowing a participant

    (i)   in an existing teleconference with

        (1)   a plurality of other participants

    (ii)   to disconnect

    (iii)   at least one of the other participants.

20

85. The method of claim 75, wherein the database further includes audio and video capabilities of each video display device.

86. The method of claim 75, further comprising the steps of:

(a)   selecting a participant
     (i)   by using a hot key.

REMARKS

The specification has been amended to correctly reflect the priority chain of this application.

In the Examiner's September 1999 Office Action, pending claims 21 to 39 were rejected on two grounds. The first is an obviousness-type double-patenting rejection based on U.S. Patent 5,768,510 and the second is an obviousness rejection based on a combination of two references.

Obviousness-Type Double-Patenting Rejection

Applicants have reviewed US 5,768,510 entitled "Object-Oriented System, method and Article of Manufacture for a Client-Server Application Enabler System," in light of the double patenting rejection. It seems, from this review, that this patent's claims do not claim subject matter even remotely similar to this application's claims. For example, the '510 patent claims are not at all related to video-conferencing or to displaying at least one directory of potential video/teleconference participants. Applicant's, therefore, request that this rejection be withdrawn.

It is, of course, possible that the Examiner had a different patent in mind and, if so, Applicants would be willing to consider any other double patenting rejection the Examiner wishes to raise.

Obviousness Rejection

Claims 21 to 39 have been rejected as being obviousness based on a combination

21

of U.S. Patent 5,195,086 (Baumgartner, et al.), and a paper authored by Rangan, et al. In support of this rejection, the Examiner argues that:

> Baumgartner does not specifically discloses first and second directory in which the second directory is a subject of the first directory... [and]
>
> Baumgartner does not specifically disclose usage of video or video capture capabilities. Rangan teaches a system for video/audio conferencing with video capture capabilities. It would have been obvious for one of ordinary skill in the art to have video with Baumgartner system because it would have enhanced the collaborative interactions among the users.

Applicants do not agree that is obvious to combine Baumgartner and Rangan as alleged by the Examiner, nor do they agree that the combination necessarily teaches all the elements of the claims as examined. Nonetheless, Applicants have amended claims 21 to 39 and have also added new claims 41 to 86. The amendments and the comments below will, it is submitted, overcome these rejections.

Claims 21 to 43

In claims 21 through 43, the claims have been amended to contain limitations to the contents of what was originally referred to as the first and second directories. The first directory is now referred to as a "directory" and the second directory as a "database." The directory (originally the first directory) is limited to include a list of potential participants, while the database (originally the second directory) is now limited to include addresses of video display devices <u>as well</u> as information on their capabilities. Previously, both directories together contained only participant information.

. Support for the limitations to the contents of the database (previously the second directory in the examined claims) can be found in the description of the Directory Server 66 and the Service Server Module 69, at for example, page 32, line 19 to page 35, line 17 of the application as filed.

In addition, these claims also include a limitation to the effect that the system maintains an association (a word more appropriate than the word "subject" originally used in Claim 21) between information in the directory and the database. This association is also shown in the descriptions referred to above.

22

Neither Baumgartner nor Rangan teach or remotely suggest any of these limitations and Applicants submit these claims are now patentable.

Claims 44 to 64

Claims 44 to 64 maintains the "two directory" language of the claims as examined, in which a second directory is a subset of a first directory. But the claims have been amended to include a limitation so that the first directory is a "universal" directory which is viewable by all participants, while the second directory is a "personal" directory viewable by only one participant. Disclosure for this concept can be found in numerous places, for example at page 31, lines 6-14 and page 35 lines 21 to 66 and in Figures 20 and 22 in the application as filed.

Rangan does not appear to teach directories and Baumgartner does not, by the Examiner's own admission, "specifically disclose first and second directories."

Given that Baumgartner does not teach a first and a second directory, it does definitely does not teach the concept of a universal and a personal directory as now claimed. Applicants submit that this claimed universal and a personal directory was not obvious in the videoconferencing field, particularly not at the time of filing.

Claims 65 to 86

Claims 65 onward are similar to claims 21 through 43 in that the concept of a directory and a database are reflected. In these claims, however, the association between the directory and the database is dynamically changeable.

Disclosure for this can be found on Page 34, lines 21 to 30 and Pages 35, lines 1 to seven, especially lines 3 to 4.

Furthermore, Applicants submit that the combination of references relied on by the Examiner, does not teach or suggest all the elements and, therefore, cannot be used to support a *prima facie* case of obviousness as required by the MPEP[1]. Accordingly, it is believed that these claims are all patentable and allowance is requested.

If in the opinion of the Examiner, a telephone conference would expedite the prosecution of the subject application, the Examiner is invited to call the undersigned at (650) 843-5000.
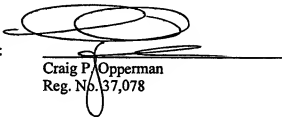
---

[1] M.P.E.P § 2142.

The Commissioner is hereby authorized to charge any underpayment of the following fees associated with this communication, or credit any overpayment to Deposit Account No. 03-3117:

[X] Any national application filing fees under 37 CFR 1.16.

[X] Any patent application methoding fees under 37 CFR 1.17.

Cooley Godward LLP
Attn: Patent & Technology Law Group
Five Palo Alto Square
3000 El Camino Real
Palo Alto, CA 94306-2155
Tel: (650) 843-5000
Fax: (650) 857-0663

CPO:lfh

Respectfully submitted,
COOLEY GODWARD LLP

By: _____

Craig P. Opperman
Reg. No. 37,078

Appendix B

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Lester F. LUDWIG, et al.

Appln. No.: 09/702,737

Confirmation No.: 3630

Filed: November 1, 2000

For: PARTICIPANT DISPLAY AND SELECTION IN VIDEO CONFERENCE CALLS

Docket No: A7834

Express Mail No.

Group Art Unit: 2153

Examiner: D. Dinh

AMENDMENT UNDER 37 C.F.R. § 1.111

MAIL STOP RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Office Action dated July 1, 2005, within the shortened statutory period

of three months, as extended by three months on the basis of the accompanying petition and fee,

please amend the above-identified application as follows on the accompanying pages.

TABLE OF CONTENTS

AMENDMENTS TO THE CLAIMS

This listing of claims will replace all prior versions and listings of claims in the application:

LISTING OF CLAIMS:

21. (Currently amended) A teleconferencing system

for conducting a teleconference

among a plurality of participants comprising:

(a) a plurality of video display devices each having associated

(i) participant video capture capabilities, and

(ii) participant audio

(1) capture and

(2) reproduction capabilities; and

(b) at least one communication path

(i) along which signals

(1) representing participant audio and video

(ii) can be transmitted,

~~wherein the system is configured to~~

(a̶-c) a graphical rolodex displayed on a participant's video display device

~~(i) a first and a second directory each~~ and including a scrollable listing of entries of ~~potential~~ video-enabled potential participants; ~~in which~~ and

~~(1) the first directory is viewable by all potential video-enabled participants~~

~~(2)~~

(d) a quick dial list, ~~the second directory is~~ listing icons representing ~~potential~~ video-enabled potential participants copied ~~made by copying fewer than all entries~~ from the ~~first directory and is viewable by a single participant~~ graphical rolodex,

2

     (i) ~~on at least one video display device; and~~

wherein the system is configured to

    (a) ~~to~~ allow an initiating participant to ~~initiate collaboration~~

        (i) initiate collaboration by ~~upon a~~ selecting at least one participant listed in at least one of the graphical rolodex and quick dial list, and

        (ii) automatically establish~~ing~~ one of a plurality of communication types,

            (1) with a selected participant,

            (2) upon a communication type being selected or by default when the participant is selected.

~~thereby to define the teleconference.~~

22. (Currently amended) The teleconferencing system of claim 21, wherein the quick dial list includes

    ~~(a)~~ ~~the second participant directory includes at least one of the group consisting of~~

        ~~(i)~~ displayed icons and text

            (3) representing the potential participants.

23. (Previously presented) The teleconferencing system of claim 21, wherein

    (a) a selecting participant can

        (i) select

            (1) at least one of the participants and

            (2) at least one of a displayed set of additional communication types; and

wherein the system is further configured to

        (i) establish communication

            (1) of the selected type

            (2) with a selected participant.

24. (Currently amended) The teleconferencing system of claim 21~~3~~, wherein

    ~~(a)~~ the ~~set of additional~~ communication types includes at least one of~~:~~

      (i)   data conferencing, videoconferencing, telephone conferencing, <u>real-time</u>
<u>text,</u> sending faxes, sending electronic mail, and the sending of multimedia
mail messages.

25.   (Cancelled) ~~The teleconferencing system of claim 23, wherein~~

   ~~(a)   the selecting participant can use~~

      ~~(i)   at least one computer graphic user interface~~

      ~~(ii)   to select~~

          ~~(1)   at least one of the participant(s) and/or~~

          ~~(2)   at least one of the communication types.~~

26.   (Currently amended) The teleconferencing system of claim 23, wherein the system

   (a)   defaults

      (i)   to <u>the</u> ~~a~~default communication type

      (ii)   upon ~~selection of~~ <u>double clicking on</u> another participant<u>'s listing</u>.

27.   (Currently amended) The teleconferencing system of claim 21, wherein the system is
further configured to allow a participant:

   (a)   to select

      (i)   a further participant

      (ii)   from the <u>video-enabled</u> potential ~~teleconference~~ participants and

   (b)   add

      (i)   the new participant

      (ii)   to the teleconference.

28.   (Previously presented) The teleconferencing system of claim 21, wherein the system is
further configured to:

      (a)   allow

         (i)   at least one participant

         (ii)   access

            (1)   to at least one audio and/or video signal source; and

       (b)   reproduce

             (i)   audio and video

                    (1)   based on signals

                    (2)   from the accessed signal source

             (ii)   for another participant.

29.   (Currently amended) The system of claim 21, wherein <u>the system is further configured so that</u>

       (a)   a selecting participant ~~ease~~ <u>can</u>

             (i)   select

                    (1)   at least one of the <u>video-enabled potential</u> participants

                    (2)   using a hot key.

30.   (Currently amended) A method for conducting a teleconference

     among a plurality of participants, each having

          an associated video capture and display and

          audio capture and reproduction capabilities,

   the method comprising the steps of:

       (a)   displaying <u>a graphical rolodex on</u> a participant's video display device and

             (i)   ~~a first and a second directory each~~ including <u>a scrollable listing of entries of</u> ~~potential~~ video-enabled <u>potential</u> participants<u>: in which</u>

                   ~~(1)   the first directory is viewable by all potential video-enabled participants,~~

                   ~~(2)~~

       <u>(b)   displaying a quick dial list on the participant's video display device and listing icons representing video-enabled potential participants copied</u> ~~the second directory is the second directory is made by copying fewer than all entries~~ <u>from the</u> ~~first directory and is viewable by a single participant~~ <u>graphical rolodex,</u>

       ~~(b)~~ <u>(c)</u> <u>allowing an initiating participant to initiate collaboration by selecting</u>

<div align="center">5</div>

       (i)   at least one ~~or more~~ participants listed in at least one of the graphical rolodex and quick dial list; and

           (1)   ~~from among a plurality of the displayed potential participants~~; and

  ~~(e)~~ (d) automatically establishing one of a plurality of communication types

       (i)   with a selected participant upon a communication type being selected or by default when the participant is selected.

      (ii)   ~~to define the teleconference.~~

31.   (Currently amended) The method of claim 30, wherein the quick dial list includes

  (a)   ~~the second participant directory includes at least one of the group consisting of~~

       (i)   displayed icons and texts

           (1)   representing potential participants.

32.   (Currently amended) The method of claim 30, further comprising the steps of:

  (a)   selecting

       (i)   one or more desired participants

      (ii)   from the ~~first directory~~ graphical rolodex; and

  (b)   selecting

       (i)   one or more desired participants;

      (ii)   from the ~~second directory~~ quick-dial list; and

  (c)   establishing communication

       (i)   with all selected participants.

33.   (Previously presented) The method of claim 30, further comprising the steps of:

  (a)   selecting a communication type,

       (i)   from a displayed set of additional communication types; and

  (b)   establishing communication

       (i)   of the selected type,

      (ii)   with each selected participant(s).

34.   (Currently amended) The method of claim 33, wherein

    (a)   the ~~set of additional~~ communication types includes at least one <u>of</u>~~:~~

        (i)   data conferencing, videoconferencing, telephone conferencing, <u>real-time text,</u> sending faxes, sending electronic mail and sending multimedia mail messages.

35.   (Currently Amended) The method of claim 33, wherein

    (a)   the step of selecting

        (i)   one or more participants

        (ii)   invokes a default communication type

        <u>(iii)   upon double clicking on another participant's listing.</u>

36.   (Currently amended) The method of claim 30, further comprising the steps of:

    (a)   selecting

        (i)   a new participant

        (ii)   from among a plurality of <u>video enabled</u> potential ~~teleconference~~ participants; and

    (b)   adding

        (i)   the new participant

        (ii)   to the teleconference.

37.   (Previously presented) The method of claim 30, further comprising the steps of:

    (a)   detecting,

        (i)   during a first teleconference

            (1)   between a first and a second participant,

        (ii)   an attempt

            (1)   by a third caller

            (2)   to initiate a second teleconference

            (3)   with the second participant;

    (b)   notifying

        (i)   the second participant

        (ii)   of the attempt; and

      (c)   allowing the second participant

            (i)   to add

            (ii)   the third caller

            (iii)   to the first teleconference.

38.   (Previously presented) The method of claim 30, further comprising the steps of:

      (a)   allowing at least one participant

            (i)   access to at least one audio and/or video signal source, and

      (b)   reproducing video and/or audio

            (i)   based on signals,

            (ii)   from the accessed signal source;

            (iii)   for another participant.

39.   (Previously presented) The method of claim 30, further comprising the step of:

      (a)   allowing a participant

            (i)   in an existing teleconference with

                  (1)   a plurality of other participants

            (ii)   to place on hold

            (iii)   at least one of the other participants.

40.   (Previously presented) The method of claim 30, further comprising the step of:

      (a)   allowing a participant

            (i)   in an existing teleconference with

                  (1)   a plurality of other participants

            (ii)   to disconnect

            (iii)   at least one of the other participants.

41.   (Currently amended) The method of claim 30, further comprising the steps of:

      (a)   selecting a <u>video-enabled potential</u> participant

            (i)   by using a hot key.

42. (Currently amended) The teleconferencing system of claim 21, wherein <u>entries are copied to</u> the <s>second directory</s> the <u>quick dial list</u> <s>is made</s> by dragging entries from the <s>first directory</s> <u>graphical rolodex</u> into the <s>second directory</s> <u>quick dial list</u>.

43. (Currently amended) The method of claim 30, wherein <u>entries are copied to</u> the <s>second directory</s> <u>quick dial list</u> <s>is made</s> by dragging entries from the <s>first directory</s> <u>graphical rolodex</u> into the <s>second directory</s> <u>quick dial list</u>.

9

REMARKS

Claims 21-43 are all the claims pending in the application. Applicants have amended

independent claims 21 and 30 to recite more specifically the structure and operation of two

separate participant listings. In addition, Applicants have made other conforming and technical

amendments to claims 22, 24, 26, 27, 29, 30-32, 34-36 and 41-43. Claim 25 has been cancelled.

CLAIM REJECTIONS - 35 U.S.C. § 103

In the office action dated July 1, 2005, the Examiner rejected all the claims as follows:

Claims 21-43 are rejected under 35 U.S.C. § 103(a) as being unpatentable over

Baumgartner et al (U.S. Patent 5,195,086), and further in view of Marshak

"*BeyondMail for Windows*," Rangan et al "Software Architecture for Integration

of Video Services in the Etherphone System," and IBM TDB0992 "Public

Nicknames in OS2 Office Address Book.".

The Examiner asserts that Baumgartner, Marshak and Rangan et al may be combined to

provide a teleconferencing system with a directory system, recognizing that Baumgartner does

not teach a first and second directory. The Examiner asserts that it would be obvious to adapt the

public and private address book feature from the Marshak email system (page 4) to the directory

illustrated in Baumgartner in Fig. 18 and disclosed at col. 18-19. The Examiner admits that

Baumgartner does not concern (1) video or video capture capabilities or (2) a rolodex-like

functionality, but asserts at page 5 of the Office action that a modification of Baumgartner to

include video capture capabilities would be obvious in view of the teachings of multi-media

conferencing in Rangan and the modification of that combination to provide a rolodex capability

for a video-type collaboration system would be obvious in view of the address book feature for

an email system that is mentioned in Marshak. Nonetheless, the Examiner admits that even this

10

combination of three references from diverse systems (email and conferencing) would not

disclose how the directories in the Examiner's system would be populated.

Thus, the Examiner cites IBM TDB0992 "Public Nicknames in OS2 Office Address

Book." Specifically, as explained at page 4 of the Office Action, the IBM reference is cited to

remedy the admitted deficiencies in Marshak with respect to the use of a second private directory

that is made by copying fewer than all entries from a common directory. The IBM reference

concerns a "Nickname" feature of the OS-2 operating system, and the Examiner asserts that the

reference mentions the use of two directories and the ability to populate the private address book

with entry from the public address book, with reference to page 2, second full paragraph lines 1-

2 and 9-12. The Examiner also looks to IBM reference for a teaching of a "drag and drop"

technique for adding entries to a private directory, as asserted at page 7 of the Office Action.

RESPONSE TO CLAIM REJECTIONS

In response, Applicants have amended the claims and present the following arguments in

support of patentability of the amended claims.

1.   The claimed invention

The present invention provides a unique directory and call management capability to

video display devices in a teleconference system, particularly one with plural user terminals,

each having video display capability. As illustrated in Fig. 20, each user terminal has the

capability to provide both a rolodex-type access to a directory of addresses as well as a quick dial

access to another directory. This dual display capability offers significant advantages and

convenience not found in the prior art.

11

The dual directory display is illustrated in Fig. 2A and shows both a rolodex type listing of only names, that is accompanied by displayable detailed information that is coupled into the directory, and a quick dial access. The quick dial access is provided through an assembly of icons that are displayed on a user terminal display, as illustrated in several figures, including Figs. 2A, 2B, 8C, 22 and 35-42. The convenience of having both the rolodex directory, supplemented optionally by a display of addressee detail, and the quick dial directory of icons is readily apparent from the foregoing illustrations. The icons are may be established by dragging entries from a rolodex onto the quick dial assembly display.

As also explained at pages 31-32 and elsewhere in the application with regard to working examples (see also cols. 18 and 19 of USP 6,237,025), a collaborative session may be established in one or two steps using either the rolodex directory or the quick-dial feature. In a two step process, a user may select a desired participant by clicking a name on the rolodex or by clicking on the appropriate displayed quick dial button, and then selecting the desired session by clicking on another appropriate button for a teleconference, mail, etc. In a one step process, a session type is defined by default, and a double clicking on a name in a rolodex or quick dial button will establish the collaborative session.

The claims have been amended to focus on, and now recite, all of the foregoing features, particularly with respect to independent apparatus claim 21 and independent method claim 30. As shown below, this claimed combination differs from the prior art cited by the Examiner as it has features that are not taught, suggested or obvious from the prior art.

12

2.   <u>**The prior art references, either alone or in combination do not teach or suggest all**</u>

      <u>**the claimed limitations**</u>

As the Examiner is aware, to "establish *prima facie* obviousness of a claimed invention,

all the claim limitations must be taught or suggested by the prior art. *In re Royka*, 490 F.2d 981,

180 USPQ 580 (CCPA 1974). *(MPEP 2143.03)*

As shown below, this *prima facie* case cannot be made because a number of claim

elements are not taught or suggested by the prior art.

A.   *The prior art does not teach or suggest two separate participant listings, displayed to a*

      call originating participant, where the information in one listing is copied from the

      other directory but is of a different type.

More specifically, the independent claims are limited to a teleconference system and

method adapted to serve situations where

        o   two listings of participants -- a graphical rolodex and a quick dial list – are

           displayed to participant, as opposed to an administrator; and

        o   the quick dial list is created by copying from the rolodex; and

        o   even for the same listed participant, the displayed content – rolodex vs.

           icons – is different in the two lists.

The Examiner has noted that Baumgartner's directory includes icons, but, as the

Examiner also admits, there is only one directory. Thus, Baumgartner does not and cannot

contemplate the provision of two directories with different displayable content, the display of

two directories with different content, or the copying of content between directories. Similarly, while the Examiner reasons that Marshak and the IBM TDB0992 disclose two directories, they do not disclose icons. Indeed, there is no teaching or suggestion that the directories would have different content. To the contrary, the content is the same, based on the use of a common template.

Thus, the prior art does not disclose this claim limitation.

B.   *The prior art does not teach or suggest that there are two ways in which communication of a defined type can occur using the two directories, and that these occur automatically.*

More specifically, the independent claims are limited to situations where collaboration

- o   is initiated when an initiating participant selects another participant listed in at least one of the graphical rolodex and quick dial list, and

- o   is established automatically in "one of a plurality of communication types" either when the initiating selects a communication type or, in other circumstances, by default when the participant is selected.

Automatically establishing a collaboration event of a defined type is a clearly recognized feature of this invention that has been recognized as not taught by the prior art.

For example, as pointed out by Appellant in the Appeal Brief in this RCE application's predecessor, "contrary to the directory feature of the present invention, in order to initiate a video conference in the Rangan system, a caller must embark on a complex multi-step procedure"[1]

The Appeal Board agreed, stating "Appellants argue that Rangan teaches no directories and hardly allows for rapid teleconferencing connection set-up....While we *agree with appellants*..."[2]

Similarly, and unsurprisingly, the Appeal Board's opinion suggests that claim limitations directed at "users [being] able to select participants in real time easily and quickly hiding the complex details of multichannel multimedia connection set up"[3] would differentiate the claims from Marshak. By extension, this would also differentiate the claims from the IBM TDB as well.

<div align="center">

CONCLUSION

</div>

In short, Applicants have now narrowed the claims and have defined the invention with significant detail such that the invention is patentable over the prior art.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

---

[1] Appeal Brief at page 5.

[2] Opinion at page 9.

[3] Opinion at the bottom of page 10 and top of page 11.

Amendment under 37 C.F.R. § 1.111
Application No. 09/702,737

The USPTO is directed and authorized to charge all required fees, except for the Issue

Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any
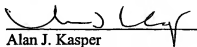
overpayments to said Deposit Account.

Respectfully submitted,

SUGHRUE MION, PLLC   Alan J. Kasper
Telephone: (650) 625-8100   Registration No. 25,426
Facsimile: (650) 625-8110
MOUNTAIN VIEW OFFICE
23493
CUSTOMER NUMBER

Date: December 30, 2005